

**Appendix 3 of EXHIBIT A**

Settlement Agreement, Petition for Review of the State Certification, SWQB 20-78

Los Alamos National Laboratory – NPDES Permit No. NM0030759

December 6, 2021

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**RECEIVED** *Madai Corral*  
By Madai Corral at 2:21 pm, Dec 13, 2021

**Appendix 3. Sites proposed for possible addition to the permit**

| Site Number | Near SMA   | Type of site (description)  | Comments   |
|-------------|------------|---|--|
| 01-001(a)   |            | Site of a former septic tank, now removed. The Site was inspected on March 31, 2008; the inspection found no evidence of storm water runoff discharging from the site or of run on at the site. There are no structures or natural drainages creating run-on and current operations are not creating run-on at the site.  | In the Permittee's comments to the 2010 draft permit, dated 4/19/2008, this site was proposed for removal from the permit as it was deemed to not be subject to the CWA. EPA concurred with the Permittees request and did not include the Site in the final permit.<br><b>EPA should re-evaluate to determine if this site is subject to CWA.</b> |
| 01-001(o)   |            | Site of a former sanitary waste line, now removed. The Site was inspected on March 31, 2008; the inspection found no evidence of storm water runoff discharging from the site or of run on at the site. There are no structures or natural drainages creating run-on and current operations are not creating run-on at the site.  | In the Permittee's comments to the 2010 draft permit, dated 4/19/2008, this site was proposed for removal from the permit as it was deemed to not be subject to the CWA. EPA concurred with the Permittees request and did not include the Site in the final permit.<br><b>EPA should re-evaluate to determine if this site is subject to CWA.</b> |
| 03-056(k)   | S-SMA-2.01 | Area of Concern (AOC) 03-056(k) is a container storage area on the north side of a loading dock at the northwest corner of the Sigma Building, (building 03-66). Waste oil, solvents, and radioactively-contaminated graphite were staged in this area. Four documented releases of radiological materials are known to have occurred at this site.   |  |
| 21-013(a)   |            | Site of former disposal area for sand from sanitary waste drying beds. The Site was inspected on April 1, 2008; the inspection found no evidence of storm water runoff discharging from the site or of run-on at the site. The site has been recently covered with a thick seed/mulch treatment. The area below the Site is a valley, with thick, permanent grass cover, and with no evidence of storm water conveyance. There is no evidence of run-on or runoff from the Site. There are no structures or natural drainages creating run-on and current operations are not creating run-on at the site. | In the Permittee's comments to the 2010 draft permit, dated 4/19/2008, this site was proposed for removal from the permit as it was deemed to not be subject to the CWA. EPA concurred with the Permittees request and did not include the Site in the final permit.<br><b>EPA should re-evaluate to determine if this site is subject to CWA.</b> |

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| 21-024(b)     |                | Site of a septic system recently removed. The Site was inspected on April 1, 2008; the inspection found no evidence of storm water runoff discharging from the site or of run-on at the site. There are no structures or natural drainages creating run-on and current operations are not creating run-on at the site.  | In the Permittee's comments to the 2010 draft permit, dated 4/19/2008, this site was proposed for removal from the permit as it was deemed to not be subject to the CWA. EPA concurred with the Permittees request and did not include the Site in the final permit.<br><b>EPA should re-evaluate to determine if this site is subject to CWA.</b> |
| 21-024(g)     | DP-SMA_0.4     | – Site of septic system. The Site was inspected on April 1, 2008; the inspection found no evidence of storm water runoff discharging from the site or of run-on at the site. There are no structures or natural drainages creating run-on and current operations are not creating run-on at the site. The Site has thick vegetation and litter cover. The area below the Site has thick vegetation, with no evidence of storm water conveyance.   | In the Permittee's comments to the 2010 draft permit, dated 4/19/2008, this site was proposed for removal from the permit as it was deemed to not be subject to the CWA. EPA concurred with the Permittees request and did not include the Site in the final permit.<br><b>EPA should re-evaluate to determine if this site is subject to CWA.</b> |
| AOC 21-026(d) |                | The Site was inspected on April 15, 2008; the inspection found no evidence of storm water runoff discharging from the site or of run-on at the site. There are no structures or natural drainages creating run-on and current operations are not creating run-on at the site. The area below the Site is a valley with thick permanent grass cover, which shows no signs of storm water conveyance or runoff.   | In the Permittee's comments to the 2010 draft permit, dated 4/19/2008, this site was proposed for removal from the permit as it was deemed to not be subject to the CWA. EPA concurred with the Permittees request and did not include the Site in the final permit.<br><b>EPA should re-evaluate to determine if this site is subject to CWA.</b> |
| 33-010(b)     | A-SMA-6        | Solid Waste Management Unit (SWMU) 33-010(b) is a former canyon-side disposal site that was located on a narrow ledge in the middle of a 60-ft cliff at the southern edge of East Site southwest of former vault 33-89 at Technical Area (TA)-33. This disposal area consisted of a large pile of metal turnings, strapping strips, timbers, and asbestos boards. The debris was likely disposed of between 1947 and 1972 during the operational period of the East Site firing sites. The ledge is approximately 10 ft to 15 ft wide. At the base of the cliff, a succession of steep slopes and cliffs extend into White Rock Canyon. |  |
| 35-015(b)     | Pratt-SMA-1.05 | SWMU 35-015(b) is a former oil-handling facility  | PCBs   |

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|             |                | located on the southwest side of Building 35-29. This unit was used for treating oil from the Gemini gas laser once housed in Building 35-29. This facility was found to be leaking dielectric oil in 1988 and was removed. It is not known if the oil spilled at this site contained hazardous constituents, or if the contaminated soils were cleaned up when the facility was removed. Stained soil and asphalt are located in this area, especially at the entrance to a drainage culvert.  |          |
| 35-014(b)   | Pratt-SMA-1.05 | SWMU 35-014(b) is the site of a former leaking 55-gallon drum found near the southwest corner of the northwest wing of Building 35-2. The drum contained oil with 50.4 micrograms per gram PCBs. The drum was removed and Laboratory group HSE-7 cleaned the site. The precise location of this release is unknown.   |          |
| 35-018(a)   | Pratt-SMA-1.05 | AOC 35-018(a) is the former site of a leaking transformer (ID No. 5024) located on a substation, structure 35-32, near the gas laser building, Building 35-29, on the eastern end of the TA-35 mesa. During a transformer assessment survey in 1985, the transformer was documented as leaking onto a porous concrete pad with no spill containment or drip pan. The transformer was added to a daily transformer inspection list. The extent of the release to the underlying pad and surrounding soil was not documented. The transformer was observed again during a site inspection in August 1991 and no evidence of past or present leakage was documented. The PCB-containing dielectric oil coolant was removed from the transformer in 1994, and the equipment was replaced with non-PCB-containing coolant. During the RFI, site inspections did not find oil staining on the concrete, although some oil staining was located adjacent to the pad. |          |
| 35-009(b)   | T-SMA-4        | SWMU 35-009(b) is an inactive septic system located near the southern edge of Ten Site Mesa, south of   |          |

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|             |  | Building 35-67. The septic system includes a septic tank (structure 35-76), a dosing chamber (structure 35-77), a distribution box manhole, and an associated leach field. From 1966 to 1975 this septic system served various laboratory buildings at TA-35. The septic system was taken out of service but left in place when new sanitary sewer lines were routed to the new sewage lagoons in the canyon east of TA-35. Although the septic system was designed to handle sanitary wastes, it may also have received a variety of industrial wastes, including radionuclides. Specific information concerning waste streams introduced to the septic system is not available. At the time of the RFI in 1995, the entire septic system was covered by asphalt, and only the septic tank, dosing chamber, and distribution box manholes were exposed. The manholes for each structure are located at the south edge of a relatively flat parking area adjacent to Building 35-67. The ground surface drops steeply downward about 8 ft at the south side of the manholes. |          |
| 60-004(f)   | New SMA in Sandia watershed. Propose Permitted Feature S006B, SMA S-SMA-3.61 | Area of Concern (AOC) 60-004(f) consists of two former unpaved, bermed storage pads, Pad 2 and Pad 3, located at TA-60 southeast of building 60-2. Pad 2 measured 12 ft × 65 ft and Pad 3 measured 12 ft × 40 ft. Both pads were used to store 55-gal. product containers that dispensed Stoddard solvent, antifreeze, motor oil, grease, transmission fluid, and window-washing fluid. The pads were constructed in 1978 when the maintenance warehouse (building 60-2) was built. In 1985, 6-in. asphalt berms were built at the open ends of both pads to mitigate rainfall run-on and runoff. In 1990, all containers were removed from the pads. Stained soil with a petroleum odor was observed within the bermed pads.<br><br>AOC 60-004(f) was formerly identified as AOC C-60-005; however the designation was changed to AOC   |          |

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|             |  | 60-004(f) in the December 1993 response to the OU 1114 Resource Conservation and Recovery Act (RCRA) Facility Investigation (RFI) work plan Notice of Deficiency (NOD).   |          |
| 60-002      | New SMA in Sandia watershed. Propose Permitted Feature S006C, SMA S-SMA-3.62 | Solid Waste Management Unit (SWMU) 60-002 consists of three former storage areas (designated as West, Central, and East) on Sigma Mesa at TA-60. The former western storage area measures approximately 150 ft × 300 ft and is located approximately 300 ft southeast of building 60-2, on the north side of the unimproved portion of Eniwetok Drive that traverses the mesa. Historically, piles of concrete blocks, wooden poles, tuff, fill, and cables were stored at this location. A large mound of fill, with pieces of cured asphalt and concrete, was situated in the northern portion of the site. The central storage area was located approximately 50 ft north of the Roads and Grounds salt and sand storage facility (building 60-178) and consisted of a 50-ft-diameter mound of fill approximately 10 ft high with construction debris, including concrete fence post supports, pipe, metal strips, and wood. The eastern storage area is on the south side of the unimproved portion of Eniwetok Drive about 300 ft west of SWMU 60-007(a) near the east end of Sigma Mesa. This area was used to stage piles of broken cured asphalt removed from roadways and parking lots around the Laboratory for recycling. The eastern storage area location is currently the site of the Laboratory's asphalt batch plant. |          |